

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

REBECCA HARE,

Plaintiff,

v.

H. H. GREG APPLIANCES,

Defendant.

NO: 2:14-CV-0070-TOR

ORDER DISMISSING CASE

BEFORE THE COURT is Plaintiff's Complaint (ECF No. 4). Plaintiff is proceeding *pro se* and *in forma pauperis*. Defendant has not been served.

On March 25, 2014, the Court ordered Plaintiff to show cause on or before April 30, 2014, why her Complaint should not be dismissed for failure to plead a "short and plain statement of the grounds for the court's jurisdiction" as required by Federal Rule of Civil Procedure 8(a)(1). ECF No. 5. The Court further advised Plaintiff that her case would be dismissed without further notice if she failed to respond. ECF No. 5. Plaintiff did not file a response.

1 Because the Complaint does not establish a basis for the exercise of federal  
2 subject matter jurisdiction, the Court will dismiss the Complaint without prejudice.

3 Title 28, United States Code Section 1915(a)(3) provides that “[a]n appeal  
4 may not be taken in forma pauperis if the trial court certifies in writing that it is not  
5 taken in good faith.” The good faith standard is satisfied when an individual  
6 “seeks appellate review of any issue not frivolous.” *Coppedge v. United States*,  
7 369 U.S. 438, 445 (1962). For purposes § 1915, an appeal is frivolous if it lacks  
8 any arguable basis in law or fact. *Neitzke v. Williams*, 490 U.S. 319, 325 (1989).

9 The Court finds that any appeal of this Order would not be taken in good  
10 faith and would lack any arguable basis in law or fact. Accordingly, Plaintiff’s *in*  
11 *forma pauperis* status is hereby revoked. If Plaintiff wishes to pursue an appeal of  
12 this Order, she must pay the requisite filing fee.

13 **IT IS HEREBY ORDERED:**

- 14 1. Plaintiff’s Complaint (ECF No. 4) is hereby **DISMISSED** without  
15 prejudice.
- 16 2. Pursuant to 28 U.S.C. § 1915(a)(3), the Court hereby certifies that any  
17 appeal of this Order would not be taken in good faith and would lack any  
18 arguable basis in law or fact. Plaintiff’s *in forma pauperis* status is  
19 hereby **REVOKED**.

1 The District Court Executive is hereby directed to enter this Order, enter  
2 judgment of dismissal, mail copies to Plaintiff at her address of record, and  
3 **CLOSE** the file.

4 **DATED** May 8, 2014.



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*Thomas O. Rice*  
THOMAS O. RICE  
United States District Judge